

CONSTITUTIONAL CONVENTION
XIV/COMMITTEE ON RESOLUTIONS AND RECOMMENATIONS/

November 18, 1955.

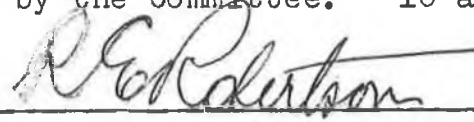
COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS
+ + + + +
Minutes of Second Meeting

1. Meeting convened in Committee Room at 9:20 a. m/. November 18, 1955, Chairman John Cross presiding, all members being present.
2. Upon motion duly made, seconded and unanimously carried, the reading of the minutes of the meeting of November 16, 1955, was waived and they were adopted.
3. Chairman Cross stated the meeting was called primarily to discuss a request to televise a meeting of the Committee. After general discussion, Douglas Gray moved, which was seconded and unanimously carried, that Chairman Cross be authorized to make such arrangements as necessary for televising the Committee's meetings.
4. Chairman Cross reported that he had consulted with the President of the Convention and the Chairmen of the other Committees, and that he understood the present schedule of Committee meetings was more or less temporary, and that in the comparatively near future a new schedule would probably be made, providing for one Plenary Session of the Convention in the forenoon.
5. George McLaughlin, Chairman of the Judiciary ^{Committee,} ~~Branch~~ being present, was invited to participate in a general discussion as to

2=11/18/1955

the duties of this Committee. As a result it was suggested that Chairman Cross make inquiry of the President of the Convention for a more definitive statement as to the scope of this Committee's duties.

7. No further business coming before the meeting, it stood ~~and adjourned~~ adjourned subject to call by the Chairman as business might arise for consideration by the Committee. 10 a.m.



Secretary

APPROVED

Y 
Chairman

CONSTITUTIONAL CONVENTION
XIV/COMMITTEE ON RESOLUTIONS AND
RECOMMENDATIONS/3
NOVEMBER 22, 1955.

COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS

- - - - -

Minutes of Third Meeting.

1. Meeting convened in Committee Room at 9:40 a.m., November 22, 1955, Chairman John Cross presiding, all members being present.
2. Minutes of November 18, 1955, meeting were read and approved.
3. After general discussion, Chairman Cross reported that the first open date for T-Ving a Committee hearing was on December 1st. It was the sense of the meeting that a date for such T-V appearance be made for any day on or thereafter, and that at such hearing a general discussion be had as to the scope of this Committee's duties and of such possible yard-stick as it should use in passing upon the nature of Resolutions and Recommendations referred to it. Chairman Cross stated that President Egan evinced the attitude that a definitive yard-stick could not readily be made, but each Recommendation and Resolution must be determined as to its nature and whether referable to this Committee, as it was presented.
4. Douglas Gray moved, Leslie Nerland, seconded, which was unanimously carried that a further study be made of Proposal No. 10, and that its proponent Delegate Victor Fischer, also ^{Emil} Mr. Sadiq, be invited to attend this Committee's meeting on the 23rd inst. to express their views on the proposal. General discussion was had.

5. General discussion was had of the Resolution of Delegate Yule F. Kilcher relative to changing the name of Mt. McKinley to Denali, whereupon R.E. Roberts on moved, Douglas Gray seconded, which motion was unanimously ~~carried~~ carried that this Committee report to the Convention that said Resolution did not constitute either Constitutional or Legislative matter, and recommend that it be ^{indefinitely} ~~indefinitely~~ postponed.

6. No further business coming before the meeting, it stood adjourned at 10:20 a. m., until 19:20³ a.m., November 23, 1955.

R.E. Roberts

Secretary.

Approved:

John H. Cross
Chairman

CONSTITUTIONAL CONVENTION
XIV/COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS/4
November 23, 1955

COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS

Minutes of Fourth Meeting.

1. Meeting convened in Committee Room at 9:30 a.m., November 23, 1955, Chairman John Cross presiding, all members being present.
2. Chairman Cross reported Committee meeting would be televised at 4p.m., December 3, 1955, Saturday.
3. Delegate Yule F. Kilcher appeared on behalf of his Resolution to change the name of Mt. McKinley to Denali, but admitted that his Resolution did not constitute constitutional or legislative matter. The Committee, having heretofore considered and authorized a report on the Resolution, took no further action.
4. Consultant Emil Sadle and Delegate Victor Fischer appeared in regard to the latter's Proposal No. 10. Each conceded the Proposal needed further ~~consideration~~ and should be redrawn. After general discussion Mr. Sadle agreed to further investigate the history of proposals similar or of purported similar intent and to further advise with the Committee at its meeting at 9:30 a.m., November 25, 1955. Generally the Committee evinced the thought that presently Proposal No.10 was of limited instead of unlimited scope, and that the State and its political subdivisions should have authority to co-operate with the United States and the States and even foreign nations, and their political subdivisions, in matters of common beneficial ~~human~~ interest.
5. No further business coming before the Committee, it adjourned until 9:30 a.m., November 25, 1955.

Approved:

John M. Cross
Chairman.

Robertson
Secretary.

RESOLUTIONS AND RECOMMENDATIONS COMMITTEE

Minutes of Fifth Meeting

1. Meeting convened in Committee room at 9:30 A.M., November 25, 1955 with Chairman Cross presiding. All members were present except Delegate Chris Poulsen.

2. Minutes of last meeting read and approved.

3. Consultant Emil Sady appeared regarding Proposal No. 10. After general discussion Mr. Sady was requested to investigate and to further advise the Committee at its meeting on November 26, 1955 (1) whether the separate States had constitutional provisions on the subject involved in Proposal No. 10, and (2) generally under what statutory procedure communities in the states dealt directly with Federal agencies.

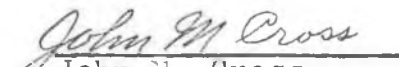
4. Upon motion, duly made, seconded, and unanimously adopted, Chairman Cross was authorized to defer making the Committee's report on Delegate Kilcher's Resolution to change the name of Mt. McKinley to Denali until Monday, November 28, 1955.

5. Committee adjourned until 9:30 A.M., November 26, 1955.



R. E. Robertson
Secretary

Approved:



John M. Cross
Chairman

Int. caps. (2)
CONSTITUTIONAL CONVENTION
CONVENTION 15
November 16, 1955.

REPORT

OF

THE COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS.

= = = = =

Whereas the Convention on November 14, 1955, referred to this Committee for action the following motion, which was made by R.E. Robertson and seconded by Maurice T. Johnson, namely:

"I move that it is the intent of this convention that the Constitution should be a document of fundamental principles of basic law, and contain only the frame work for state government, with all the details to be ordained in the discretion of future legislatures."

Now, upon consideration of said motion,

IT IS RECOMMENDED that it be adopted and enacted by the Convention in the following amended form, viz.:

"I move that it is the intent of this convention that the Constitution should be a document of fundamental principles of basic government, and contain the frame work for state government."

Dated November 16, 1955.

John M. Cross
Chairman.

R. E. Robertson
XIV Resolutions and
Recommendations

Secretary File

Missing:

Nov. 18th 2nd meeting

Nov. 22 3rd mtg.

last p. of 4th mtg.

Secretary's original minutes transferred
to Official File folder.

COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS

Minutes of First Meeting

1. Chairman John Cross called the meeting to order at 9:40 a.m., November 16, 1955, in the Committee Room in Constitution Hall.

2. All Committee members present.

3. Chairman Cross thereupon appointed R. E. Robertson as Secretary.

4. Thereupon Douglas Gray, upon nomination by Leslie Merland, was unanimously elected Vice-Chairman.

5. Thereupon a general discussion was had by all members of the functions of the Committee.

6. Thereupon, on motion of Douglas Gray, which was unanimously adopted, Chairman Cross was requested to discuss with the President and with other Committee Chairmen at their next meeting when called by the President of the advisability of changing the schedule of Plenary Sessions and Committee meetings so that one Plenary Session be held each week day to commence at 11 a.m., and that Committee meetings be held prior and subsequent to such Plenary Session.

7. On motion, duly made, seconded and unanimously adopted, it was resolved that the motion: "I move that it is the intent of this Convention that the Constitution should be a document of fundamental principles of basic law, and contain only the frame work for state government, with all the details to be ordained in the discretion of future legislatures" be recommended to the Convention for passage in the following amended form, viz.:

"It is moved that it is the intent of this convention that the Constitution should be a document of fundamental principles of basic government, and contain the frame work for state government."

The movant of the original motion accepted said amendment.

8. Leslie Merland moved, which was seconded and unanimously adopted, that all publicity matters pertaining to the Committee be handled by the Secretary with the approval of the Chairman.

9. Chairman suggested that the members inform him and the Secretary of any matters arising which might probably become the business of the Committee.

10. Upon motion, duly made, seconded, and unanimously adopted, the Committee then adjourned subject to call of the Chairman for transaction of any business that may arise to come before the Committee.

/s/ 
R. E. Robertson
Secretary

Approved: /s/ John M. Cross
Chairman.

CONSTITUTIONAL CONVENTION
XIV/COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS
November 23, 1955

COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS

Minutes of Fourth Meeting.

1. Meeting convened in Committee Room at 9:30 a.m., November 23, 1955, Chairman John Cross presiding, all members being present.
2. Chairman Cross reported Committee meeting would be televised at 4p.m., December 3, 1955, Saturday.
3. Delegate Yule F. Kilcher appeared on behalf of his Resolution to change the Name of Mt. McKinley to Denali, but admitted that his Resolution did not constitute constitutional or legislative matter. The Committee, having heretofore considered and authorized a report on the Resolution, took no further action.
4. Consultant Emil Sadie and Delegate Victor Fischer appeared in regard to the latter's Proposal No. 10. Each conceded the Proposal needed further consideration and should be redrawn. After general discussion Mr. Sadie agreed to further investigate the history of proposals similar or of purported similar intent and to further advise with the Committee at its meeting at 9:30 a.m., November 25, 1955. Generally the Committee evinced the thought that presently Proposal No.10 was of limited instead of unlimited scope, and that the State and its political subdivisions should have authority to co-operate with the United States and the States and even foreign nations, and their political subdivisions, in matters of common beneficial ~~human~~ interest.
5. No further business coming before the Committee, it adjourned until 9:30 a.m., November 25, 1955.

Approved:

John M. Cross
Chairman.

R. E. Robertson
Secretary.

Sec'y US Con. Art I Sec II

Constitutional Convention
XIV/Committee on Resolutions
and Recommendations/5
November 25, 1955

RESOLUTIONS AND RECOMMENDATIONS COMMITTEE

Minutes of Fifth Meeting

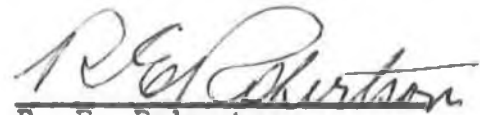
1. Meeting convened in Committee room at 9:30 A.M., November 25, 1955 with Chairman Cross presiding. All members were present except Delegate Chris Poulsen.

2. Minutes of last meeting read and approved.


3. Consultant Emil Sady appeared regarding Proposal No. 10. After general discussion Mr. Sady was requested to investigate and to further advise the Committee at its meeting on November 26, 1955 (1) whether the separate States had constitutional provisions on the subject involved in Proposal No. 10, and (2) generally under what statutory procedure communities in the states dealt directly with Federal agencies.

4. Upon motion, duly made, seconded, and unanimously adopted, Chairman Cross was authorized to defer making the Committee's report on Delegate Kilcher's Resolution to change the name of Mt. McKinley to Denali until Monday, November 28, 1955.

5. Committee adjourned until 9:30 A.M., November 26, 1955.


R. E. Robertson
Secretary

Approved:


John M. Cross
Chairman

COMMITTEE ON RESOLUTIONS AND RECOMMENDATIONS

Minutes of the Sixth Meeting

1. Meeting convened in Committee room at 9:30 a.m., November 26, 1955, Chairman Cross presiding. All members were present except Delegate Chris Poulsen.
2. Minutes of last meeting read and approved.
3. Secretary Robertson informed Committee that original Minutes would be kept in Committee's locker room, third floor, and one permanently filed with Convention's Librarian.
4. Consultant Emil Sady appeared and advised the Committee he had ascertained that no state had a constitutional provision such as contemplated by Proposal #10; that the New Jersey constitutional convention had a proposal somewhat similar to Article XI, Section 1100 of the Model Constitution before it, but had not adopted it; that there was no agreement among experts regarding the wisdom of providing by statute, as some states have done, that Federal aid to cities should be channeled through state agencies; and that he thought that a constitutional provision on the subject should not be stated in negative terms. At request, Mr. Sady reduced his advice to writing as follows:

"a. An examination of state constitutions in the Convention library reveals that none contains a provision such as Article XIV, Section 5 of the Hawaii constitution, dealing generally with intergovernmental relations. This suggests that such a provision is not required in order to permit the state and its

political subdivisions to participate in intergovernmental programs. However, in the absence of a provision such as that being considered (i.e. "The state and its political subdivisions may cooperate with the United States and its territories, and with the states and their political subdivisions on matters of common interest."), the State legislature of Alaska would have power to prevent or obstruct participation by local political subdivisions in Federal grant-in-aid programs. It should be mentioned in passing that Proposal 10 seems defective because it would specifically grant the legislature such power. While the above-quoted language would not prohibit a State legislature from regulating intergovernmental relations of State and local governments, it should serve to discourage legislation designed to prevent or obstruct cooperation.

"b. It is noteworthy that Federal grant-in-aid programs have increased steadily in recent decades. This trend is likely to continue. Some experts in government view with concern the development through several grant programs of direct relations between the Federal Government and cities or other local government units. Others accept the need and desirability of cooperation between governmental units at various levels, including direct Federal-city relations. I incline toward the latter view mainly because it avoids unnecessary red-tape and also because jurisdictions should have power commensurate with their responsibility. For example, if a state makes civil airport construction wholly a city responsibility, the State legislature should not be in a position to obstruct efforts by the city to participate

in Federal grant programs in that field.

"c. The issue facing the committee thus appears to narrow down to whether the people should, through the State constitution, set the general tone or policy regarding the relationship of their State and local government units with Federal and other levels of government in the U.S. or whether the constitution should be silent on the subject, allowing the State legislature greater freedom to control the relationships of political entities in Alaska with those in the States."

Mr. Robertson informed the Committee that the Judiciary Branch Committee had requested the attendance on December 1, 1955, of Sheldon Elliott, a Constitution lawyer, to advise on Constitutional Questions and his services could be obtained for this committee. After general discussion it was agreed that further consideration of Proposal #10 be deferred until the Committee could obtain Mr. Elliott's advice probably about December 1st.

5. No further business coming before the Committee it adjourned at 10:15 a.m. until 9:30 a.m., November 28, 1955.

Secretary

Approved _____

Chairman

Constitutional Convention
XIV/Resolutions/7
November 28, 1955

Resolutions and Recommendations Committee

Minutes of Seventh Meeting

1. Meeting convened at 9:30 a.m., November 28, 1955, in the lounge. Chairman Cross presided. All members were present.
2. Minutes of last meeting were read and approved.
3. Secretary Robertson noted that after Chairman Cross had made Committee's Report on Delegate Kilcher's Resolution to change name of Mt. McKinley to Denali to the ^{Convention} Committee, Mr. Kilcher, with unanimous consent of the Convention, withdrew his Resolution.
4. Consideration of Proposal No. 24 was deferred until November 29, 1955, meeting as the Committee members have not yet received copies of the proposal.
5. General discussion was had of Proposal No. 10 and it was agreed that it would be the subject of the TV meeting on Channel 11 at 4 p.m., December 3, 1955, the thought being that in the meantime advice relative to it might be obtained from Constitutional Lawyer Sheldon Elliott who it was anticipated would probably be available at the Committee's December 2 meeting.
6. No further business coming before the meeting, it adjourned until 9:30 a.m. November 29, 1955.

Approved:

Secretary

Chairman

Resolutions and Recommendations Committee

Minutes of Eighth Meeting

1. Committee met at 9:45 A.M., November 30, 1955, in Lounge. Chairman Cross presided. All members were present.
2. Minutes of Seventh Meeting were read and approved.
3. After general discussion, it was moved, seconded and unanimously carried that Mr. Cross and Mr. Nerland at today's meeting of the Chairmen of the various Committees with the President, suggest that, inasmuch as they were on the same subject as Proposals Nos. 24 and 28 which had been referred to this Committee, Proposal No. 11 by Delegate Harris and Resolution by Delegate Poulsen for a referendum for the location of the Capital be also referred to this Committee, and if so referred, Delegate Harris and Delegate Taylor, proponent of Proposal No. 24, be requested to appear before this Committee before any action was taken on Proposals 11, 24, and 28 and Delegate Poulsen's Resolution.
4. Members Emberg and Gray each having stated he would be absent on Saturday, December 3, 1955, it was moved, seconded, and unanimously carried that Chairman Cross seek to defer the date of televising on December 3, 1955, this Committee's meeting until December 6 or later and also that the Chairman and the Secretary seek to obtain the appearance of Mr. Sheldon Elliott before this Committee on December 1, 1955, in respect to Proposal No. 10 of Delegate Victor Fischer.
5. No further business coming before the Committee it adjourned until 9:30 A.M., December 1, 1955.

R. E. Robertson

Secretary

Constitutional Convention
XIV/Resolutions/9
December 2, 1955

RESOLUTIONS AND RECOMMENDATIONS COMMITTEE

Minutes of Ninth Meeting

1. Committee met in lounge at 9:30 a.m. December 2, 1955. Chairman Cross presided. All members were present except Delegate Truman Emberg. Consultant Sheldon Elliott was also in attendance.

2. Minutes of Eighth Meeting deferred for reading and approval until received from Secretarial Staff.

3. General discussion was had of Delegate Victor Fischer's Proposal No. 10 with Consultant Elliott, who stated that he did not think the Proposal constituted Constitutional matter. Whereupon it was moved, seconded, and unanimously carried that this Committee report to the Convention that in its opinion Proposal No. 10 should not properly be included in the Constitution, and that such Report be prepared and submitted to the Committee at its next meeting.

4. Chairman Cross announced that all televising would be discontinued as of today; hence, that this Committee would not conduct a meeting before the television.

5. Discussion was had generally of Proposals No's. 10, 24, and 28, and Delegate Poulsen's Resolution relative to the sites of the capital of the state. Delegate Harris spoke in behalf of his Proposal No. 10. It appearing that it contemplated the

the adoption of an Ordinance to carry it into affect, Mr. Harris was requested to present at the Committee's meeting on December 5, 1955, a copy of his proposed Ordinance, so that the Committee could have the benefit of it while discussing the three Proposals and the Resolution at that meeting.

6. Delegate McCutcheon appeared and stated his agreement to this Committee considering Proposal No. 10 and Delegate Poulsen's aforesaid Resolution, both of which had been referred by the President to Committee XII on Local Government of which Mr. McCutcheon is Chairman and that he would instruct the Secretary of Committee XII today to refer Proposal No. 10 and Delegate Poulsen's Resolution to this Committee for consideration.

7. No further business coming before the meeting, and it appearing that members Emberg and Gray would be absent December 3rd and Mr. Gray also on December 5th, the Committee adjourned until 9:30 a.m. on December 6, 1955.

Respectfully submitted,

Approved:

R. E. Robertson, Secretary

Chairman

RESOLUTIONS AND RECOMMENDATIONS COMMITTEE

Minutes of Tenth Meeting

1. Meeting convened in Gallery at 9:40 A. M., December 6, 1955. Chairman Cross presided. All members were present.
2. Minutes of Eighth and Ninth Meetings were read and approved.
3. Secretary Robertson presented form of Committee Report on Proposal No. 1 of Delegate Victor Fischer. After general discussion, the Report, upon motion made, seconded and un-animously agreed to, was approved and Chairman Cross was requested to present it to the Convention at the latter's Plenary Session on December 7, 1955. The concensus of opinion was that the Convention would make the Report an Order of Business, at which time the Committee could express its views in support of the Report.
4. Discussion was had generally of Proposals No.'s 11, 24, and 28, and Delegate Poulsen's Resolution No. 4, and of Delegate Harris' Ordinance which he proposed in connection with his Proposal No. 11. Upon inquiry by Delegate Poulsen, it was ascertained Delegate Harris did not intend to introduce his Ordinance as a Proposal. Secretary Robertson was requested to contact Chairman E. B. Collins of Committee No. XIII, Direct Legislation, Amendment, and Revision, to ascertain what Constitutional provision it intended for Amendment and Revision, which would apply, without the necessity of other provision along the line of

Page 2

Delegate Harris' proposed ordinance, to change the capital if public need demanded should Delegate Robertson's Proposal No. 28 be adopted.

5. No further business coming before the Committee, it adjourned at 11:30 A. M. until 9:30 A. M., December 7, 1955.

Approved:

Secretary

Chairman

Constitutional Convention
Resolutions and Recommendations/12

MINUTES OF TWELFTH MEETING

1. Meeting convened at 4 p.m., December 11, 1955, in home of Delegate Leslie Nerland. Chairman Cross presided. All members were present.
2. Minutes of Eleventh Meeting were read and approved.
3. Secretary Robertson presented form of Committee Proposal reLocation of Capital and Procedure for Change thereof, as requested by Committee at its eleventh meeting. After general discussion Mr. Robertson was requested to prepare the Proposal in the form of an Ordinance embodying the substance of the form of Proposal so submitted by Mr. Robertson, as the majority of the Committee members doubted it properly constituted Constitutional matter, and to submit at the Committee's next meeting.
4. No further business coming before the meeting, the Committee adjourned.

Secretary

Approved:

Chairman

RESOLUTIONS & RECOMMENDATIONS COMMITTEE

Minutes of Eleventh Meeting

1. Meeting convened in Gallery at 10:00 A.M., December 7, 1955. Chairman Cross presided. All members were present.
2. Minutes of Tenth Meeting were read and approved.
3. After general discussion of Proposals 11, 24, and 28 and Resolution #4, Secretary Robertson was requested to prepare a form of proposal for report and to present it to the Committee at its next meeting for action.
4. No further business coming before the Committee, it stood adjourned.

Secretary

Approved:

Chairman

Constitutional Convention
Resolutions and Recommendations/13

MINUTES OF THIRTEENTH MEETING

1. Meeting convened at 11:40 am., December 13, 1955, in Gallery. Chairman Cross presided. All members were present except Delegate Truman Emberg.
2. Minutes of Twelfth meeting were read and approved.
3. Secretary Robertson, as requested by the Committee at its Twelfth Meeting, presented form of Proposal for an Ordinance relating to the Location of the Capital and Procedure for change thereof. Mr. Robertson informed the Committee that he had conferred with Delegate Burke Riley, Chairman of the Rules Committee, Consultant Emil Sady, and Delegate Robert McNealy, Chairman of the Ordinance Committee, and each said the Convention's Rules did not specifically provide the procedure for proposing an Ordinance, but they thought it should be in the form of a Proposal for an Ordinance. After general discussion the Committee unanimously adopted the form of Proposal for an Ordinance submitted by Mr. Robertson and requested Chairman Cross to introduce it in the Convention.
4. No further business coming before the Committee it adjourned.

Secretary

Approved:

Chairman